

BIBLIOGRAPHY ON NEIGHBORING RIGHTS ("DROITS VOISINS"):  
PROTECTION OF PERFORMERS, PRODUCERS OF SOUND  
RECORDINGS, AND BROADCASTING ORGANIZATIONS.

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## INTRODUCTION

"Neighboring" or "Related Rights" ("droits voisins") is a condensation of the phrase "rights neighboring on, or related to, copyright." It usually is understood to mean the rights of performing artists, producers of sound recordings, and broadcasting organizations to protection for their respective creations. The regulation of these rights became a legal problem with the development of the techniques of recording and broadcasting sounds and images. International regulation of these rights was first proposed officially by the Italian Government and the Bureau of the International Copyright Union to the Rome Conference of 1923 for the revision of the Berne Copyright Convention. A new article 11 bis was proposed for the Convention, the first paragraph of which, in essence, granted authors the exclusive right to authorize the communication of their works to the public by broadcasting. The second paragraph was intended to grant performing artists the same right in regard to their interpretations of literary or artistic works. Article 13 of the Convention was to be completed by a paragraph 1 bis, which, in effect, would have protected performing artists against unauthorized use of their recorded performances of copyrighted musical works.

The Exposé des motifs for the proposal stated that it would be unfair to permit the broadcast of an artistic performance without the permission of both the author of the work and the performing artist. A performance of an artist was stated to have the characteristics of an artistic work, though of a derivative nature.

The delegations to the Rome Conference could not agree on including protection of performing artists in the Berne Convention, and merely expressed in Voeu No. V the desire that the governments of the Berne countries consider legal measures for such protection.

Before the Brussels Conference of 1948 for the revision of the Berne Convention, the Belgian Government proposed a new article 11-  
quater establishing the principle of protection for performances. No minima were proposed, and the conditions of protection would have been left to the domestic law of the member countries.

As at the Rome Conference of 1928, no agreement was reached in Brussels on the protection of related rights. However, the Conference adopted three vœux (VI, VII, VIII), urging that the problems concerning the protection of "manufacturers of phonograms", "broadcasts", and "performing artists" be studied.

Apart from the attempted inclusion of the rights of performing artists in the revised Berne Convention, efforts began in the late nineteen twenties to provide protection for related rights by international conventions distinct from the Berne Convention but open only to members of the Berne Union. In 1939 these efforts led to the drafting of several conventions by a committee of experts in Samaden, Switzerland. One of these so-called "Samaden projects" related to the rights of performers and phonograph record manufacturers, another to the rights of radio broadcasting organizations. In 1951 a "mixed" committee of experts, sponsored by the Berne Union but including also representatives of ILO and certain West European private organizations, met in Rome and adopted a single draft convention for the protection of all three groups. This "Rome draft" has met with many doubts and questions. One of the most fundamental of these is whether the rights of the three groups should be protected by a new and separate legal structure, or by evolution of existing systems.

This bibliography has been compiled as a tool in tracing the international development of related rights, and as an aid in determining areas of agreement and disagreement. The bibliography is divided into two main sections: I. Documents of governments, of international inter-governmental organizations, and of non-governmental organizations; II. Books and articles.

In the first section the documents are listed in chronological order. No separation is made between official and private organizations but documents of the former are marked by an asterisk (\*). Many of the documents concern the rights of more than one group; and it is indicated in the note following each item with which group or groups the document deals. Every effort has been made to include all official documents. However, it is possible that some have been overlooked, and information on such material would be welcomed so that it may be included in an addendum.

The second section of the bibliography is selective, and classified by subjects. It is largely limited to writings on the international aspects of the problem. Writings on motion picture rights are listed where they bear on regulation of related rights by international convention.

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ABBREVIATIONS

Air L. Rev.	Air Law Review
A.L.A.I.	Association Littéraire et Artistique Internationale
ASCAP	American Society of Composers, Authors and Publishers
Chi. L. Rev.	Chicago Law Review
CISAC	Confédération Internationale des Sociétés d'auteurs et compositeurs
Col. L. Rev.	Columbia Law Review
D.A.	Droit d'Auteur
E.B.U.	European Broadcasting Union
FIAPF	International Federation of Associations of Film Producers
Fed. Comm. Bar. J.	Federal Communications Bar Journal
GRUR	Gewerblicher Rechtsschutz und Urheberrecht
J. Radio L.	Journal of Radio Law
ICC	International Chamber of Commerce
International Copyright Union	International Union for the Protection of Literary and Artistic Works
ILO	International Labor Organization
Schweizerische Mitteilungen	Schweizerische Mitteilungen über gewerblichen Rechtsschutz
Ufita	Archiv für Urheber- Film- Funk und Theaterrecht
U.C.L.A. Intramural L. Rev.	University of California at Los Angeles Intramural Law Review
UNESCO	United Nations Educational, Scientific and Cultural Organization
Va. L. Rev.	Virginia Law Review

## I. Documents

1. \*International Copyright Union. Conference for the revision of the Berne Convention, Rome, 1928. Vœu V, Actes de la Conférence, p. 350.

Proposes to the governments of the Berne countries to consider legislation for the protection of performers.

2. International Federation of the Phonographic Industry. 1st Congress, Rome, 1933. Vœux, in D.A., vol. 47, no. 2, 1934, p. 22.

Proposes to give record manufacturers the right to control the use of their records and to obtain a renumeration for such use.

3. CISAC, and International Federation of the Phonograph Industry. Meeting at Stresa, 1934. Agreement, in D.A., vol. 47, no. 8, 1934, p. 94.

The two organizations agree to cooperate toward the international protection of records under the Berne Convention.

4. International Chamber of Commerce. 8th Congress, Paris, 1935. Resolution 3: protection of record manufacturers, in La Propriété Industrielle, vol. 51, no. 7, 1935, p. 141.

The I.C.C. invites its national committees to work toward legal protection of record manufacturers in regard to their right to be paid for commercial use of their records.

5. CISAC. Meeting at Stockholm, 1938. "Droits voisins des droits d'auteur," in D.A., vol. 51, no. 8, 1938, p. 97.

Opposes rights of performers.

6. \*International Copyright Union. Joint Committee of Experts, Samaden, 1939. "Avant-projet d'arrangement connexe à la Convention de Berne revisée et concernant la protection de certains droits voisins du droit d'auteur," in D.A., vol. 52, no. 6, 1939, p. 71.

Formulates separate draft conventions on the rights of performers, record manufacturers and broadcasting organizations.

7. \*International Labor Conference, Geneva, 1940. Rights of performers in broadcasting, television, and the mechanical reproduction of sound. Geneva, I.L.O., 1939. 128 p.

Includes a historical survey and existing regulations on right of performers; and discusses desirability, form, extent, and duration of such rights within an international convention.

8. CISAC. Meeting of Rome, 1941. Resolution, in D.A., vol. 54, no. 8, 1941, p. 89.

Proposes to study the problems of new international conventions on related rights.

9. International Federation of the Phonographic Industry. Meeting of Brussels, 1947. Resolution, in D.A., vol. 60, no. 11, 1947, p. 132.

Demands legislation for the protection of record manufacturers.

10. \*International Copyright Union. Conference for the revision of the Berne Convention, Brussels, 1948. Voeux VI, VII, VIII, Actes de la Conférence, p. 428. See also p. 308, 320, 455, 509, 526.

VI. Protection of record manufacturers.  
VII. Protection of broadcasting organizations.  
VIII. Protection of performers.

11. \*International Copyright Union. Brussels Conference, 1948.  
Proposal for Article 11 quater. Rights of performing artists.  
Documents de la Conférence, p. 308.

Contains the text of a proposed article for the protection of performers, and the Conference debates thereon.

12. \*International Copyright Union. Permanent Committee, 1st session, Neuchâtel, 1949. Resolution no. 2, in D. A., vol. 62, no. 11, 1949, p. 132.

The Bureau of the Union is charged with the following tasks: to make inquiries from interested governments concerning protection of performers, record manufacturers, and broadcasting organizations; to submit the Samaden draft conventions (with several specified changes) to the governments; to invite the governments to transmit their observations.

13. CISAC. 16th Congress, Madrid, 1950. Vœux, in D.A., vol. 63, no. 12, 1950, p. 140.

Proposes limitation of the draft conventions on related rights to Berne countries, but suggests that related rights should not be regulated by the Berne Convention.

14. \*International Copyright Union. Permanent Committee, 2d session, Lisbon, 1950. Resolution no. 2, in D.A., vol. 63, no. 11, 1950, p. 131.

Proposes to call a meeting of experts to formulate a single international convention on all the related rights, or separate ones for each group, and solicits the cooperation of ILO.

15. \*International Copyright Union. Permanent Committee, sub-committee, Paris Meeting, 1951. Resolution no. II, in D.A., vol. 64, no. 3, 1951, p. 36.

Requests the Bureau of the Union to report on the problems involved in a convention on related rights in view of the interests concerned, and on the replies of the governments to the questionnaire submitted by the Bureau; decides to meet at Stresa in May 1951.

16. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers, 2d session, Geneva, 1952. Rights of performers in broadcasting, television, and the mechanical reproduction of sound. Report III. Geneva, International Labor Office, 1951. 85 p.

Includes a survey of the conditions of performers and their protection under national laws, and of the steps taken in this respect internationally up to the end of 1951. Concludes with a discussion of the principles and the form of an international convention for the protection of performers.

17. \*International Copyright Union. Permanent Committee, subcommittee, 2d session, Stresa, 1951. Resolution, in D.A., vol. 64, no. 6, 1951. p. 70.

Charges the Bureau of the Union with the task of formulating a simple draft convention on related rights and outlines the principles to be followed therein. Decides on the composition of the meeting of experts, to be held in Rome, Nov. 12-17, 1951.

18. \*International Copyright Union. Comment by the Bureau on the draft convention submitted to the Joint Committee of Experts on related rights. 1951. 4 p.

Contains comments on various articles of the Berne Bureau draft convention.

19. \*International Copyright Union. Permanent Committee, 3d session, Paris, 1951. Resolution No. II, on draft convention on related rights, in D.A., vol. 64, no. 11, 1951. p. 125.

Notes the report on the draft convention formulated by the Bureau of the Union, and decides to submit the draft to a committee of experts, to meet in Rome, from Nov. 12-17, 1951. Decides on a convention open to all countries.

20. \*International Copyright Union. Joint Committee of Experts for the protection of related rights, Rome, 1951. 93 p.

Contains the records of the Rome meeting; with appendices:  
1) General report by Prof. G. H. C. Bodenhausen (Netherlands);  
2) Draft of a convention by the drafting committee;  
3) Text adopted Nov. 17, 1951.  
Also in French: D.A., vol. 64, no. 12, 1951. p. 137.

21. \*International Copyright Union. Explanatory notes by the Berne Bureau concerning the preliminary international draft convention for the protection of performing artists, manufacturers of phonographic records and broadcasting organizations. 1951, 28 p.

Constitutes a statement of motives on the articles of the draft convention of 1951 on related rights.

22. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. Extract from the note on the proceedings of the 2d session, Geneva, 1952. Geneva, ILO, 1952. 49 p. (ILO/CCETI/2/20).

States the position of ILO in regard to the draft convention on related rights, and discusses the articles of the draft convention from the points of view of the employers' and the workers' members of ILO. Also contains a draft resolution concerning the role of ILO in future procedures.

23. \*International Labor Office. Governing Body. Advisory Committee on Salaried Employees and Professional Workers. Questions arising from second session. Rights of performers: I. First note: The role of ILO in regard to future procedure in the field of performers' rights. Geneva, ILO, 1952. (G.B. 120/I.C./D.6, 120th session).

The Committee on Industrial Committees is asked to consider the conclusions adopted by the Advisory Committee on Salaried Employees and Professional Workers at its second session (Geneva, Feb. 18-Mar. 1, 1952) concerning the role of ILO in regard to future procedure in the field of performers' rights and to submit recommendations to the Governing Body.

24. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. 2d Session, Geneva, 1952. Rights of performers in broadcasting, television, and the mechanical reproduction of sound. Report III, supplement. Geneva, ILO, 1952. 17 p.

Contains additional information on the subjects discussed in Report III of 1951.

See supra, no. 16.

25. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. 2d session, Geneva, 1952. Summary minutes of the seventh plenary sitting, Feb. 29, 1952, Geneva, ILO, 1952. (CCETI/1/2).

Includes a discussion of the report by a subcommittee on performer's rights, (doc. CCETI/2/9), a proposed (but rejected) resolution concerning the role of ILO in regard to future procedure (doc. CCETI/2/13), and a discussion thereon.

26. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. 2d session, Geneva, 1952. Report of the subcommittee on performers' rights, Geneva, ILO, 1952. 29 p. (CCETI/2/9).

Includes a discussion by the employers' and workers' members of the subcommittee on the articles of the draft convention on related rights.

27. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. Note on the proceedings of the 2d session, Geneva, ILO, 1952. 18 p. (CCETI/2/20).

Part II contains the report of the subcommittee (see (CCETI/2/9), memorandum no. 16 to the Governing Body of ILO with conclusions on the draft convention on related rights.

28. Association littéraire et artistique internationale. 45. Congress, Nîmes. Resolution on related rights, in D.A., vol. 65, no. 5, 1952, p. 60.

Instructs the national groups of A.L.A.I. to examine the question of related rights and report their findings to the Bureau of A.L.A.I.

29. \*International Copyright Union. Permanent Committee, 4th session, Neuchâtel, 1952. Resolution No. III, in D.A., vol. 65, no. 8, 1952, p. 103.

Invites the International Federation of Film Producers to submit a report on their views concerning protection of motion picture producers to a committee of experts.

30. Organisations syndicales d'acteurs. Congress of London, 1952.  
Resolution No. 1, in D.A., vol. 65, no. 9, 1952. p. 114.

Declares that laws and conventions should be revised to afford protection to actors, and that a society should be established in each country to protect the rights of actors.

31. \*International Labor Office. Governing Body. Advisory Committee on Salaried Employees and Professional Workers.  
Questions arising from the second session. Rights of performers: II. Second note: fourth meeting of the Permanent Committee of the Berne Union, Neuchâtel, 1952. (G.B. 120/I.C./D.7, 120th session).

The Committee on Industrial Committees is asked to take note of the work of the fourth meeting of the permanent Committee of the Berne Union and to submit certain recommendations to the Governing Body.

32. \*British Board of Trade. Report of the Copyright Committee, Oct. 1952. London, Her Majesty's Stationery Office, 1952. 130 p.

Discusses proposals for amendment of the British copyright law. Part VI: gramophone records, films, broadcast performances, sporting spectacles, and performances of artists. Part VII: performing and performers' rights.

33. CISAC. Bureau Confédéral, Paris, 1952. 1. Avant-projet de Convention internationale pour la protection des droits des artistes exécutants, des fabricants de phonogrammes, et des entreprises de radiodiffusion et de télévision, in D.A., vol. 66, no. 1, 1953. p. 10.

Refers to the voeux on related rights expressed by the CISAC legislative committee and advises the member societies to inform the governments in the respective countries of the views of CISAC on related rights.

34. \*International Copyright Union. Opinion on cinematography and copyright. Berne, Office of the International Copyright Union, 1953. 15 p.

See Ulmer, infra no. 87.

35. \*International Labor Office. Governing Body. Advisory Committee on Salaried Employees and Professional Workers. Performers' Rights. Second note. Memorandum on the legal implications which would arise for the ILO if the question of the rights of performers were regulated in an international instrument adopted by a body other than the International Labor Conference. Geneva, ILO, 1953, 23 p. (G.B. 121/I.C/D3, 121st session).

Includes a discussion of the following questions: 1) History of the question and statement of the problem: Decision of the Governing Body; 2) Competence of the ILO in the field of related rights; 3) Desirability of the proposed solution, including cooperation with the Berne Union, desirability of dealing with the question on a tripartite basis, and the need for a diplomatic conference.

36. \*UNESCO. International Conference of Artists, Venice, 1952. Resolution, in D.A., vol. 66, no. 2, p. 24.

Proposes the formulation of a charter for the rights of artists.

37. Fédération internationale des auteurs de film. Congress of Venice, 1953. Report by Messrs. Matthyssens and Charini, in D.A., vol. 67, no. 4, 1954, p. 61.

Concerns national legislation on protection of motion pictures, including their use on television.

38. International Federation of the Phonographic Industry. Meeting of Paris, 1953. Voeux, in D.A., vol. 66, no. 4, 1953, p. 44.

Proposes close cooperation between authors and the groups interested in the protection of related rights, in order to obtain a mutually satisfactory convention on related right.

39. \*International Copyright Union. Permanent Committee, subcommittee, 5th session, Berne, 1953. Resolutions, in D.A., vol. 66, no. 7, 1953, p. 81.

In Resolution No.1 recommends to the Bureau of the Union, that it publish for interested governmental and international organizations, the report on the protection of motion picture producers by Prof. Ulmer (see Ulmer, infra no. 87) and invites these organizations to transmit observations on that report.

Recommends, in Resolution No. 2, publication of the governmental observations on the draft convention on related rights, and asks the Bureau to report on such observations.

40. \*International Copyright Union. Replies of the governments to the questionnaire of the Bureau, regarding the protection of performing artists, record manufacturers, and broadcasting organizations. Replies sent before January 1, 1954. 143 p.

Original languages and French translations.

Includes, in addition to the replies of the governments, a circular letter of February 4, 1953 from the Bureau to the foreign offices of the countries concerning the draft convention, a general report on the work of the committee drafting the convention, a report by the Permanent Committee of the Union, and observations by the International Labor Office.

40a.\*International Copyright Union. Replies to the questionnaire of the Bureau by [the following governments]. 1954. Various pagings.

Australia. (In English)  
Belgium. (In French)  
Chile. (In French)  
Finland. (In French)  
Holy See. (Second reply. In French)  
Italy. (In Italian)  
Netherlands. (In French)  
Switzerland. (In French)  
United States. (In English)

41. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. 3d session, Geneva, 1954. Fifth plenary sitting, May 13, 1954. (CCETI/3).

Discusses the connection between unemployment of musicians and the lack of legal protection for performers. The Mexican workers' delegate proposes to adopt an international convention for protection of the moral right of performers and the right to authorize recordings of their interpretations.

42. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. Note on the proceedings of the third session, Geneva, 1954. 59 p. (CCETI/3/21).

Includes (p. 53) Resolution No. 31 concerning further action on the part of ILO with regard to performers' rights.

43. \*International Labor Organization. Advisory Committee on Salaried Employees and Professional Workers. 3d session, Geneva, 1954. General report. Report I. Item 1(a) and (b). Geneva, ILO, 1954. 89 p.

Includes (p. 45-61) a study on employment and unemployment of performers with reports on conditions in various countries.

44. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Report of the Bureau of the Union on the problems of copyright connected with cinematography. 1954, 12 p.

Summarizes communications received on Ulmer report from organizations of authors, performing artists, film producers, and broadcasters.

45. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Exchange of correspondence between M. Delac, honorary president of the International Film Producers' Associations and Mr. Secretan, Director of the Bureau of the International Copyright Union. 3 p.

Concerns protection of motion pictures in connection with related rights.

46. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Director's report on the position with regard to the work being carried out with a view to the international protection of the rights of interpreting or executant artists, manufacturers of phonogrammes and broadcasting bodies. I. Analytical Report. Replies of the Governments. 27 p.

Summarizes and analyses the replies on the articles of the draft convention.

47. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Report of the Director on the position of work in view of international protection of the rights of interpreting or performing artists, phonogramme-record manufacturers and broadcasting organizations. II. General observations and propositions of the international office. 10 p.

Digests the government replies and proposes a course of action to be taken by the Bureau for the work on the draft convention on related rights.

48. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Supplementary report of Professor Ulmer on questions connected with cinematography. Heidelberg, 1954. 21 p.

Replies to reports by Castelain, Desbois, FIAPP, EBU, and film authors. Proposes to consider motion picture questions in connection with the draft convention on related rights.

49. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Letter of the Secretary General of the International Federation of Musicians to the Director of the Office of the International Union for the protection of literary and artistic works on questions concerning cinematography and copyright. (Translation). Zurich, 1954. 3 p.

Proposes that questions of motion picture rights be discussed after completion of the draft convention on related rights.

50. \*International Copyright Union. Observations of the International Federation of Musicians on the draft convention regarding the protection of performers, manufacturers of phonographic records and broadcasting organizations. 14 p.

Observes generally that performers' rights should be given more favorable consideration. Makes detailed proposals on the articles of the draft convention.

51. Association littéraire et artistique internationale. Rapport au Comité permanent de l'Union littéraire et artistique relativement "aux différents problèmes qui dans le champ du droit d'auteur intéressent la cinematographie." By A. Tournier. 1954. 14 p.

Discusses the rights of the motion picture producer in view of the draft convention on related rights, and of the report of Prof. Ulmer. (See Ulmer, infra no. 87).

52. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Consultation of H. Desbois and V. DeSanctis. Berne, 1954. 31 p.

Discusses the relationship between copyright and related rights in view of the draft convention on related rights, and extent and duration of rights under the draft convention.

See also infra, no. 89.

53. \* International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Report of the Bureau on the study of problems in the field of copyright concerning cinematography. II. General observations and suggestions for professional agreements. 3 p.

Discusses the question of authorship in motion pictures, prompted by the Ulmer report. (See Ulmer, infra, no. 87).

54. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Resolutions No. 3 and 4, in D.A., vol. 67, no. 8, 1954, p. 143.

In Resolution No. 3, instructs the Bureau of the Union to continue the study of motion picture rights in connection with the draft convention on related rights. In Resolution No. 4, charges the Bureau with concluding, as rapidly as possible, the preparatory work for the meeting of the Committee of Experts on related rights.

55.\* International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Conclusion of professional agreements between authors of films and producers. 6 p.

Presents views of dramatic authors and composers, with emphasis on copyright, moral right, and film television rights.

56. \*International Copyright Union. Permanent Committee. 5th session, Lugano, 1954. Summary record. 24 p.

Discusses related rights, including motion pictures, particularly the extent of the rights to be protected by the draft convention, cooperation between the Bureau of the Union and ILO, and procedure for adoption of the convention.

57. International Federation of Associations of Film Producers. Report, in D.A., vol. 67, no. 3, 1954, p. 45.

Discusses the protection of film producers in the light of the Ulmer report. (See Ulmer, infra no. 87).

58. European Broadcasting Union. Memorandum on the legal opinion of Professor Eugen Ulmer. Geneva, 1954. 19 p.

Treats of the relationship between motion pictures and television, and proposes that film producers be given related rights, not copyright.

59. Association littéraire et artistique internationale. Réponse de l'A.L.A.I. à la demande formulée par le Comité permanent de l'Union littéraire et artistique sur le contenu de la Consultation de M. le Professeur Eugen Ulmer. 1954? 9 p.

Digests the Ulmer report and comments on its proposals for the regulation of the pecuniary and moral right of motion picture producers.

60. International Academy of Comparative Law. 4th Congress, Paris, 1954. The tendencies to extend the rights of authors: "droits voisins" (rights of performers, recorders and broadcasters). By Seve Ljungman. 1954. 12 p.

Analyses the concepts, and the existing protection of related rights, and presents arguments used in connection with the draft convention on related rights.

61. Association littéraire et artistique internationale. Monte Carlo Congress, 1954. I. Report of the Special Commission on the preliminary draft convention, regarding the protection of performers, manufacturers of phonographic records, and broadcasting organizations. 18 p.

Discusses the articles of the convention. Criticizes unsatisfactory provisions.

61a. Association littéraire et artistique internationale. Monte Carlo Congress, 1954. L'avant-projet de convention internationale relative à la protection des artistes, interprètes et exécutants, de fabricants de phonogrammes et des organismes de radiodiffusion. Rapport complémentaire sur l'exercice et la gestion des droits reconnus par la convention présente au nom de la Commission spéciale. 6 p.

Supplement to No. 61, supra.

62. Association littéraire et artistique internationale. Monte Carlo Congress, 1954. Resolution I, in D.A., vol. 67, no. 10, 1954, p. 176.

Submits the draft convention of 1951 on related rights to a special committee for study.

63. \*International Copyright Union. Working Group, Paris Meeting, 1954. Preliminary draft of the international convention concerning the protection of performing artists, record manufacturers, and broadcasting organizations. 59 p. and appendices.

Contains an analytical report of the Paris meeting of the working group, including (as appendices) new proposals for the draft convention.

64. \*International Labor Office. Second report of the Committee on Industrial Committees. 127th session, Rome, 1954. 18 p. (G.B. 127/9/24).

Includes recommendations of the Committee to the Governing Body to authorize the Director General of ILO to take, on behalf of ILO, further steps toward the conclusion of a convention on related rights.

65. \*International Labor Office. Governing Body. Advisory Committee on Salaried Employees and Professional Workers. Performers' Rights. 127th session, Rome, 1954. 8 p. (G.B. 127/I.C/D.7).

Invites the Committee on Industrial Committees to consider the resolution concerning further action with regard to performers' rights (see CCETI/3/21, p. 53), to take note of the work of the fifth meeting of the Permanent Committee of the International Copyright Union, and to make a recommendation to the Governing Body.

id. - Supplementary note. 127th session. (G.B. 127/I.C/D.12).

66. Germany (Federal Republic). Bundesjustizministerium. Referentenwurf eines Urheberrechtsgesetzes. Bonn, 1954. 394 p.

Deals with related rights in the second part of the draft law (§§ 66-90), and the semi-official report thereon, published by the Ministry of Justice of the Federal Republic of Germany.

67. \*International Copyright Union. Permanent Committee, executive subcommittee, 6th session, Berne, 1955. Proposal concerning formulation of a convention for the international protection of performers, record manufacturers, and broadcasting organizations, in D.A., vol. 68, no. 4, 1955. p. 52.

Outlines working methods to be followed, and organizations to be invited.

68. \*International Copyright Union. Permanent Committee, executive subcommittee, 6th session, Berne, 1955. Joint meeting of representatives of the International Copyright Union and representatives of ILO, Geneva, 1955. New York, Copyright Society of the U.S.A., Translation Service, 1955. No. 2b. 7 p.

Also, French text in D.A., vol. 68, no. 4, 1955, p. 52.

Outlines the procedure to be followed at the meeting of a working group in the fall of 1955.

69. \*International Labor Office. Governing Body. Advisory Committee on Salaried Employees and Professional Workers. Performers' Rights. 128th session, Geneva, 1955. 14 p. (G.B. 128/I.C/D.5).

Invites the Committee on Industrial Committees to take note of the information contained in the present document on the stage reached in the negotiations concerning performers' rights, the kind of international convention which is contemplated, and the procedure suggested for its adoption and for the supervision of its application.

70. \*International Labor Office. Advisory Committee on Salaried Employees and Professional Workers. Performers' Rights. 129th session, Geneva, 1955. 20 p. (G.B. 129/I.C./D.5/3).

Discusses the position to be taken by ILO at the meeting of the working group planned for the fall of 1955, the composition of the ILO delegation to that meeting, and invites the Committee on Industrial Committees to make recommendations to the Governing Body concerning the attitude to be adopted at that meeting by the representatives of ILO. Appendices contain statements of the Phonographic Industry, International Federation of Musicians, International Federation of Actors, and International Federation of Variety Artists.

## II. BOOKS AND ARTICLES

### 1. Rights of performers, record manufacturers, and broadcasters.

71. Bouruet-Aubertot, J. "Les droits des exploitants des postes d'émission, des auteurs et des artistes et les auditions radiophoniques publiques et privées", in Revue Juridique Internationale de la Radioélectricité, vol. 1, no. 3, 1924. p. 69.

Represents an early statement of the principles of the rights of authors, performers, and broadcasters, with French decisions to support recognition of such rights.

72. Neugebauer, Eberhard. "Der Rundfunk auf der Romkonferenz," in Archiv fuer Funkrecht, vol. 1, no. 4, 1928. p. 296.

Reports on the developments, at the Rome Conference for the revision of the Berne Convention concerning the voeu for protection of performers. Includes a discussion of the protection of recordings and news broadcasts.

73. Giannini, Amadeo. "Rechtsprobleme der Schallplatte", in Ufita, vol. 7, no. 3, 1934. p. 267.

Discusses the interests concerned with the use of records and conflicts arising from such use; makes proposals for their harmonization, in particular for the protection of record manufacturers.

74. Audinet, Gérard. Les conflits du disque et de la radio-diffusion en droit privé. Paris, Presses Modernes, 1938. 190 p.

Treats the rights of authors, performers, record manufacturers, and broadcasters in radio broadcasting of recordings; with a survey of the laws of various countries and of the international aspects of the problem.

75. Socolow, Walter. *The law of radio broadcasting*. New York, Baker, Voorhis, 1931. 2 v. (1566 p.)

Discusses the protection of news broadcasts, (p. 793-817); protection of broadcast programs and names (p. 916-929); and protection of performers against unauthorized use of their performance (p. 961-966).

76. Ostertag, Fritz. "Nouvelles propositions pour la Conference de Bruxelles," in D.A., vol. 52, no. 6, 1939. p. 62.

The former director of the Berne Bureau discusses the draft conventions on related rights, formulated at Samaden, Switzerland, in July, 1939, and examines possible methods of protecting related rights. Intended as a working paper for the Brussels Conference for the revision of the Berne Convention.

77. Du Pasquier, Alfred. *Le droit du fabricant sur les disques de gramophone*. Paris, Sirey, 1940. 212 p.

Proposes right sui generis for the record manufacturer.

78. "La protection internationale des droits voisins du droit d'auteur," in D.A., vol. 53, no. 10, p. 109; no. 11, p. 121; no. 12, p. 133, 1940; vol. 55, no. 4, p. 38; no. 5, p. 51, no. 6, p. 61, no. 7, p. 75, no. 8, p. 85, no. 11, p. 122, 1942.

Includes texts of the Samaden draft conventions for the protection of performers; of record manufacturers; of radio broadcasters; and of press information. Discusses these drafts with special reference to the analyses by Elster, Hoffmann, Müller (*Ufita*, vol. 14, 1941) and Du Pasquier.

79. "Disque et radio," in D.A., vol. 53, no. 9, 1940. p. 97.

Includes a survey of laws and court decisions covering rights of performers, record manufacturers, and broadcasters in various European countries.

80. Hoffmann, Willy. "Bemerkungen zum Entwurf von Konventionen über Nachbarrechte," in Ufita, vol. 14, no. 2, 1941. p. 80.

Discusses the basic principles of international protection of related rights, with a view to the improvement of the Samaden draft conventions of 1939 on related rights.

81. De Boor, Hans Otto. "Lettre d'Allemagne," in D.A., vol. 54, no. 10, 1941. p. 121.

Discusses the Samaden draft conventions on related rights in the light of several analyses by German copyright specialists.

See also: Elster; Hoffman; Müller; in Ufita, vol. 14, 1941.

82. Straschnov, Georges. Nouveaux aspects du droit d'auteur et droits connexes en radiodiffusion. Brussels, Bruylant, 1950. 92 p.

Discusses (p. 41-71) the principles, duration and extent of related rights.

83. Bramall, Brian. "A propos de l'avant projet de Convention internationale pour la protection des droits voisins ou dérivés du droit d'auteur," in D.A., vol. 65, no. 10, 1952. p. 124.

Defends the Rome draft convention on related rights and proposes methods of overcoming objections to it.

84. Homburg, Robert. "Droit d'auteur et droits voisins," in D.A., vol. 65, no. 11, 1952. p. 133.

Traces briefly the evolution of related rights from the draft conventions of Samaden, 1939, to the draft convention of Rome, 1951.

85. Moll, Theodor. "Die Rechte der ausübenden Künstler, der Hersteller von Phonogrammen und der Rundspruchorganisationen, Bericht mit Entwurf einer gesetzlichen Regelung zu Händen der Association suisse pour la protection du droit d'auteur," in Schweizerische Mitteilungen, vol. 1, no. 1, 1953. p. 15.

Discusses in detail the legal nature of related rights, and makes proposals for form and duration of such rights. Includes extensive references to other writings on the subject.

86. "The rights of performers, manufacturers of phonographic records and broadcasting organizations," in The Performing Right Bulletin, no. 24, Aug. 1953. p. 234.

Represents the view of the British Performing Right Society on the Rome draft convention on related rights.

87. Ulmer, Eugen. Opinion on cinematography and copyright, given at the request of the Office of the International Union for the protection of literary and artistic works. Berne, Office of the International Copyright Union, 1953. 16 p.

Also in French: D.A., vol. 66, no. 9, 1953. p. 97; vol. 67, no. 6, 1954. p. 108.

Discusses the treatment of motion pictures under the Berne Convention and in the laws of various countries. Analyses the manner of regulation of rights in motion pictures in a convention on related rights, under consideration of the rights of authors, performing artists and producers. Also considers the moral right and the term of protection. Concludes that rights in motion pictures should be regulated by the Berne Convention.

See supra, no. 34.

88. Baum, Alfred. "Ueber den Rom-Entwurf zum Schutze der vortragenden Künstler, der Hersteller von Phonogrammen und des Rundfunks," in GRUR, no. 6, Auslands-und Internationaler Teil," 1953. p. 197.

Also in English: Documentation and Information Bulletin of the European Broadcasting Union, vol. IV, no. 21. p. 503.

Contains a thorough review of the background history, evolution of, and problems raised by the Rome draft convention of 1951 on related rights; with copious source material.

89. Desbois, Henri and De Sanctis, Valerio. "Observations suggérées par l'avant-projet de Convention internationale relative à la protection des artistes interprètes ou exécutants, des fabricants de phonogrammes et des organismes de radio-diffusion," in D.A., vol. 67, no. 9, 1954. p. 149.

Report presented to the Permanent Committee of the International Copyright Union.

See supra, no. 52.

90. Hirsch-Ballin, Ernst. "Verwandte Schutzrechte," in Ufita, vol. 18, no. 5/6, 1954. p. 310.

Also in English: New York, Copyright Society of the U.S.A., translation service. 1955, no. 4a. 15 p.

Discusses related rights in connection with the German draft copyright law of 1954, and concludes that only the rights of performers should be included in a copyright law.

91. Peter, Wilhelm. "Länderkritik des Romentwurfs (1951) zu einem internationalen Leistungsschutzabkommen," in Ufita, vol. 18, no. 5/6, 1954. p. 343.

Analyses the observations of the governments of 25 countries in regard to the Rome draft convention on related rights.

92. Ljungman, Seve.

See: International Academy of Comparative Law, supra, no. 60.

93. Sordelli, Luigi. L'opera dell'ingegno. Milan, Giuffrè, 1954. 279 p.

Analyses the distinction between copyright and related rights; examines the economic and legal aspects of recording, and the legal relations and rights of performers, record manufacturers, and broadcasting organizations.

94. Plaisant, Robert. "Vers la protection mondiale des'droits voisins," in Revue Internationale du Droit d'Auteur, III, 1954, p. 75.

Analyses the Rome draft convention of 1951 on related rights, and considers it useful only as a basis for further discussion.

95. Bodenhausen, George H. C. "Protection of 'neighboring rights,'" in Law and Contemporary Problems, 19, no. 2, (Duke University, 1954), p. 156.

The Reporter General of the Committee of Experts, Rome 1951, on related rights, examines the problem of protecting such rights in the national laws and by international convention.

96. Tournier, H.

See: Association Littéraire et artistique internationale, Monte Carlo Congress, 1954, report, supra no. 51.

97. Hackemann, Lutz. Sound recordings in the draft of a new German copyright law. New York, 1955, Copyright Society of the U.S.A., Translation Service, no. 3b.

Also in German: GRUR, vol. 56, no. 11, 1954. p. 516.

Discusses the problems of sound recordings, and the solution applied by the German draft copyright law of 1954 in regard to related rights.

98. Hänsel, Carl. "Die 'Verwandten Schutzrechte' im Referenten-Entwurf," in Ufita, vol. 19, no. 1/2, 1955. p. 15.

Criticizes the inclusion of related rights in the German draft copyright law of 1954.

99. Dommange, René. "La doctrine française en matière de droits dits 'voisins,'" in Revue Internationale du Droit d'Auteur, VIII, 1955. p. 23.

Criticizes the concepts of the Rome draft convention on related rights from the point of view of authors.

100. Strauss, William. Summary of the German draft law on copyright and of the report of the drafting commission. New York, 1955, Copyright Society of the U.S.A., Translation Service, no. 2a.

In discussing part 2 of the draft law, deals with the protection of related rights.

See also: Germany (Federal Republic), 1954, supra no. 66.

101. Fisher, Arthur and Bogsch, Arpad. Copyright and related rights: Seamless web or "thing of shreds and patches." Washington, 1955. 6 p. French translation in D.A., vol. 68, no. 8, 1955. p. 109.

Raises the question whether, both internationally and domestically, related rights should be protected, and what the economic consequences of such protection would be.

102. Fisher, Arthur and Bogsch, Arpad. Copyright and related rights: Some fundamental issues. Washington, 1955. 15 p. French translation in D.A., vol. 68, no. 9, 1955. p. 134.

Recommends thorough study of the question whether performers, record manufacturers, and broadcasters are intellectual creators. Based on the result of such study, by governmental agencies, experts, and representatives of affected interests, a treaty designed for adoption in all parts of the world should be drafted.

103. Sordelli, Luigi. "Aspetti dell' evoluzione storica di una protezione internazionale concernente interpreti, produttori di dischi ed emittenti radiofoniche," in Il Diritto di Autore, vol. 26, no. 1, 1955. p. 11.

Reviews the history of related rights, including the steps taken for their recognition under the Berne Convention, and by separate conventions. With numerous references to official documents and writings by experts.

104. Ulmer, Eugen. "Deutsche und französische Urheberrechts-reform," in Juristenzeitung, vol. 10, no. 13, 1955. p. 401.

In comparing the German and French draft copyright laws, discusses the inclusion of related rights in the German draft.

**2. Rights of performers and record manufacturers.**

105. Escholier, Marc. *Le phonographe et le droit d'auteur.* Paris, Sirey, 1930. 198 p.

Discusses (2d part, 3d section) the rights of performers and record manufacturers.

106. Elster Alexander. "Wesen, Umfang und Begründung des Schallplattenschutzrechts," in *GRUR*, vol. 40, no. 3, p. 140; no. 4, p. 206, 1935.

Analyses the legal aspects of use of records and examines, by comparing the legal systems in various countries, means for the protection against unauthorized use.

107. Giannini, Amadeo. "Die Schallplatte im neuen italienischen Urheberrechtsgesetz," in *Ufita*, vol. 16, no. 1, 1943. p. 15.

Analyses protection of record manufacturers and performers under the Italian copyright law of 1941.

108. Virlogeux, Maurice. "L'enregistrement sonore des œuvres littéraires et musicales," in *D.A.*, vol. 59, no. 2, p. 13; no. 3, p. 25; no. 4, p. 37; no. 5, p. 49; no. 7, p. 73, 1946.

Examines the legal nature of artistic performances and recordings; presents a comparative study of the laws of various countries (including the United States) offering, and draft laws considering, protection of performers and record manufacturers. Concludes by presenting solutions for the problem on an international level.

109. Mak, W. *Rights affecting the manufacture and use of gramophone records.* The Hague, Nijhoff, 1952. 224 p.

Includes an examination of the legal status of performers, record manufacturers and of the legal nature of recordings; with copious references to other writings on the subject.

3. Rights of performers, broadcasting organizations.

110. Giannini, Amadeo. "Das Recht des Urhebers und des nach-schaffenden Künstlers auf dem Gebiete des Rundfunks," in Archiv für Funkrecht, vol. 1, no. 6, 1928. p. 589.

Report with source materials, to the 3d International Radio Congress, Rome, 1928, on the protection of broadcasters and performers.

111. Bollecker, Louis. Droit privé de radiodiffusion. Paris, Sirey, 1934. 255 p.

One of the earliest book-length discussions of the rights of performers in broadcasting, and of broadcasting organizations, on the basis of a comparative study of the laws in several European countries.

112. Moser, Julius and Lavine, Richard. Radio and the law. Los Angeles, Parker, 1947. 386 p.

Discusses (p. 122-151) the protection of broadcasters, of program titles and names, and rights of performers under the law of unfair competition.

4. Rights of performers.

113. Cahn-Speyer, Rudolf. "Aesthetische Grundlagen eines Urheberrechtes für ausübende Künstler," in Allgemeine Musikzeitung, vol. 54, no. 9, 1927. p. 207.

Discusses the efforts toward protection of performers, with references to other writings on the subject.

114. Smoschewer, Fritz. "Zur Frage des Urheberschutzes des wiedergebenden Künstlers," in GRUR, vol. 32, no. 1, 1927. p. 50.

Discusses the principles of protection for performers in view of the then impending Rome Conference for the revision of the Berne Convention.

See also: GRUR, vol. 32, no. 1, p. 69; no. 5, p. 296.

115. Villalonga, José de. "Das Recht des nachschaffenden Künstlers bei der funkmässigen Wiedergabe von Werken der Literatur und Kunst," in Archiv für Funkrecht, vol. 1, no. 6, 1928. p. 605.

Proposes to give the performer a right other than copyright.

116. Kohler, Arnold. "Performers' rights with regard to broadcasting and mechanical reproduction," in International Labor Review, vol. XXI, no. 5, 1930. p. 643.

Discusses the nature of the rights to be granted to performers, and the possibilities of intervention by I.L.O in the drafting of an international convention on related rights.

117. Cahn-Speyer, Rudolf. "Zum Funkrecht des nachschaffenden Künstlers," in Ufita, vol. 4, no. 4, 1931. p. 269.

Discusses the protection of performers in the light of the 4th International Radio Congress, Liège, 1930.

118. Homburg, Robert. Legal rights of performing artists, translated and annotated together with an addendum by Maurice J. Speiser. New York, Baker, Voorhis, 1934. 184 p.

Translation of Le droit d'interpretation des auteurs et des artistes exécutants, (Paris, 1930).

The first book-length discussion of the rights of performers. Includes an analysis of existing protection and proposals for more inclusive protection; with laws, decisions and resolutions, and a bibliography.

119. Speiser, Maurice.

See Homburg, Robert, supra no. 118.

120. Ellinger, Werner. Der Rechtsschutz der künstlerischen Leistung. Heidelberg, 1934. 87 p.

Examines the protection of performers, and of theatrical and motion picture producers under the German laws.

121. Lehman, Liane. Le droit de l'artiste sur son interpretation. Paris, Librairie Generale de Droit et de Jurisprudence, 1935. 210 p.

Examines the nature and extent of performers' rights, their protection under national laws, and the possibilities of protection in the international field.

122. Olagnier, Paul. Le droit des artistes interprètes et exécutants. Paris, Librairie Generale de Droit et de Jurisprudence, 1937. 218 p.

Traces the historical development of performers' rights from the early 18th century. Discusses the nature of artistic interpretation, the rights flowing therefrom, and the protection of those rights in national laws and an international convention.

123. Iklé, Gertrud. *Urheberrechtliche Befugnisse an Werken der Tonkunst und technische Entwicklung*. St. Gallen (Switzerland), Zollikofer, 1938. 149 p.

Discusses (special part, B) the rights of performers in the Swiss law, with proposals for more extensive protection.

124. Pforzheimer, Walter. "Copyright protection for the performing artist in his interpretive rendition," in Copyright Law Symposium, New York, ASCAP, 1939. p. 9.

Surveys the U.S. and the international protection of performers as envisaged by the Rome Conference of 1928 for the revision of the Berne Convention.

125. Traicoff, George. "Rights of the performing artist in his interpretation and performance," in Air L.R., vol. XI, no. 3, 1940. p. 225.

Treats the problem of protection of radio performers, including existing remedies and possibilities for further legislative protection.

126. Elster, Alexander. "Internationales Schutzrecht der ausübenden Künstler," in Ufita, vol. 14, no. 2, 1941. p. 63.

Discusses the protection of performers' rights in the Samaden draft convention of 1939.

127. Straschnov, Georges. *Le droit d'auteur et les droits connexes en radiodiffusion*. Bruxelles, Bruylant, 1948. 260 p.

Discusses the problems of copyright and rights of performers' in broadcasting; with a brief consideration of the rights of record manufacturers and broadcasters.

128. Countryman, Vern. "The organized musicians," in Chi. L. Rev., vol. 16, no. 1, 1948. p. 56; and no. 2, 1949. p. 239.

Surveys the legal and economic position of employed musicians in the United States.

129. Strauss, William. "La protection des droits de l'artiste exécutant aux Etats Unis d'Amérique," in D.A., vol. 63, no. 10, 1950. p. 110.

Discusses principles of the common law as applied to the protection of performers.

130. Runge, Kurt. "Der Schutz der Leistung des angestellten Rundfunkmusikers," in GRUR, vol. 53, no. 1, 1951. p. 26.

Analyses the right to protection of employed musicians in regard to their broadcast performance.

131. Pakuscher, Ernst. "Zur Frage des Leistungsschutzes des angestellten Rundfunkmusiker," in GRUR, vol. 53, no. 7, 1951. p. 303.

Denies that performers employed by broadcasting organizations have separate rights in their performances.

132. Moll, Theodor. "Leistung, Schutzbedürfnis und Recht des ausübenden Künstlers," in Schweizerische Mitteilungen, vol. 1, no. 1, 1952. p. 71.

Examines the legal nature of artistic performances, the need for protection, and the form, and term of protection. Contains numerous references to other writings on the subject.

133. Streuli, Adolf. "Brennende Fragen der nationalen und internationalen Gesetzgebung auf dem Gebiete des Urheberrechts und des Rechtes des Interpreten," in Schweizerische Mitteilungen, vol. 2, no. 2, 1952. p. 152.

Discusses performers' rights largely from the Swiss point of view.

134. Leuzinger, Rudolf. "Stellungnahme der Interpreten zum römischen Konventionsentwurf betreffend die Rechte der ausübenden Künstler, der Schallplattenproduzenten und der Rundfunkorganisationen," in Schweizerische Mitteilungen, vol. 2, no. 2, 1952. p. 179.

Criticizes the Rome draft convention of 1951 on related rights for failing to give performers sufficient protection as compared to the protection given to economically stronger record manufacturers and broadcasting organizations.

135. Schorro, Charles. *La protection de l'artiste-interprète en droit Suisse*. Fribourg, 1952. 135 p.

Discusses the basis of copyright and the right of performers to legal protection of their artistic interpretations.

136. Silverberg, Herbert T. "Televising old films--some new legal questions about performers' and proprietors' rights," in Va. L. Rev., vol. 38, no. 5, 1952. p. 615.

Analyses the rights of motion picture performers in cases of unauthorized use of their performances on television, and examines the principles of law under which they may be protected against such use.

137. Schauer, Richard. "Recent development in performers' literary property law," in U.C.L.A. Intramural L. Rev., March 1953, p. 13.

Surveys briefly the history of litigation on performers' rights in the United States.

138. Mouchet, Carlos and Radaelli, Sigfrido. *Los derechos del escritor y del artista*. Madrid, Ed. Cultura Hispánica, 1953. 465 p.

Treats, in chapter IX, the rights of performers in the Argentine and in international law.

5. Rights of record manufacturers.

139. Giannini, Amadeo. *Les problèmes juridiques du disque.* Rome, Arte grafiche Fratelli Palombi, 1934. 22 p.

Proposes copyright for phonograph records as works similar to photographs, particularly in view of their use in broadcasting, and considers record manufacturers as authors.

140. Baum, Alfred. "Protection of records, protection of artists, and copyright," in Copyright, vol. 5, no. 1, 1939. p. 1.

Proposes protection for record manufacturers on an international basis. Also considers the relations between authors, performers, record manufacturers and broadcasting organizations, including economic aspects.

141. Gebhard, Heinrich. "Die Konvention über den Schutz der Schallplattenhersteller," in Ufita, vol. 4, no. 2, 1941. p. 73.

Discusses the protection of record manufacturers in the Samaden draft convention of 1939.

142. Müller, Arndt. "Das Recht der Schallplattenhersteller nach dem Entwurf einer Sonderkonvention zur Revidierten Berner Uebereinkunft," in Ufita, vol. 14, no. 2, 1941. p. 89.

Discusses the protection of record manufacturers in the Samaden draft convention of 1939.

143. Ostertag, Fritz. "La protection des disques étrangers en Suisse," in D.A., vol. 53, no. 4, 1940. p. 42; vol. 54, no. 5, 1941. p. 52.

Discusses a decision of the Swiss Federal Court affording copyright protection to French phonograph records. Suggests that the solution for protection of records should be sought in an amendment to the Berne Convention, or in a separate convention. Outlines the rights to be granted.

144. Forns, José. "La teoría de los derechos conexos y la protección a los fabricantes de discos," in Revista de la Universidad de Madrid, 1943. p. 253.

Examines the protection of recordings and record manufacturers in national laws, and under the Berne Convention.

145. Forns, José. "La protection des fabricants des disques," in D.A., vol. 59, no. 4, 1946. p. 47.

Analyses the legal relationship between authors and record manufacturers.

146. "Piracy on records," in Stan. L.Rev., vol. 5, no. 3, 1953. p. 433.

Surveys the U.S. court decisions on unauthorized copying of records, and proposes that Congress amend the copyright law to protect records.

6. Rights of broadcasting organizations.

147. Caldwell, Louis. "Piracy of broadcast programs," in Col. L. Rev., vol. 30, no. 8, 1930. p. 1087.

Enumerates the methods by which unauthorized use may be made of broadcasts, and surveys the principles of law under which protection may be afforded against such use.

148. Caldwell, Louis. "International protection of broadcasters against commercial users of their programs," in J. Radio L., vol. 11, no. 3, 1932. p. 479.

Discusses the legal nature of radio broadcasting, the uses of broadcasts against which protection is claimed, and the theories under which protection may be afforded in the United States and by international convention.

149. Oranje, J. Rights affecting the use of radio broadcasts. Leiden, Njithoff, 1938. 95 p.

Analyses the basis of the broadcasters' right to protection against unauthorized private and commercial use of their broadcasts.

150. Solinger, David. "Unauthorized uses of television broadcasts," in Col. L. Rev., vol. 48, no. 6, 1948. p. 848.

Surveys principles of the U.S. law under which television broadcasts may be protected.

151. Strauss, William. "Unauthorized recording of radio broadcasts," in Fed. Comm. B. J., vol. 11, no. 4, 1950. p. 193.

Discusses principles of the U.S. law under which protection of radio broadcasts may be afforded.

152. Hubman, Heinrich. "Der Schutz der Rundfunksendung gegen unbefugte Verwertung," in GRUR, vol. 55, no. 8/9, 1953. p. 316.

Examines protection of broadcasters under the German law.

INDEX OF AUTHORS

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